

MINUTES

MAINE WATER WELL COMMISSION

Wednesday, May 12, 2021

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Meetings via Zoom – link on webpage, MEDWP.COM → Professionals → Well Drillers Commission

### ATTENDEES:

#### Commission Members:

William Dawson  
Chief Engineer, DWP  
\*(acting Chair)  
Daniel Locke  
Hydrogeologist, MGS

Mike Otley  
Public Member  
Frank Hegarty  
Master Well Driller

Glenn Dyer  
Master Well Driller

#### Guests:

Lauren LaRochelle  
State of Maine, AAG

#### Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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PROCEEDINGS: 9:04 AM

Review of Meeting Minutes:

Motion to accept the minutes from April 14, 2021

❖ MOTION: Mike Otley 2nd: Glenn Dyer VOTE: Unanimous

Exam Applications:

1. WRAGG_WD02068_rcvd 4-24-21 – WD-M / PI-M

Motion to table until next meeting, 6-9-21, due to complaint from Frank Hegarty against Gap Mtn. and Ryan Wragg.

❖ MOTION: Glenn Dyer 2nd: Dan Locke VOTE: Unanimous
 o Frank Hegarty recused.

Specialty Well Applications – Commission Review:

NONE

Specialty Well Applications – In-House Approval:

1. ALLEN-TEMPLE_SWA
2. CONLEY-COMAC_SWA
3. DESJARDINS-ESTEY_SWA
4. MATHER-SUNCO_SWA

Other Business:

1. Exams: **Thursday, May 13, 2021 @ 10am** at Key Bank Building, downtown Augusta
 - a. Eligible candidates have been notified by email

2. Revocation Letter: MWWC Revocation of License for Anthony O'Connor
 - a. 3-2-21 – 1st draft of revocation letter, commission review
 - b. 4-14-21 – AAG will revise revocation letter to be sent. (Lauren LaRochelle, AAG)

Motion to table Revocation Letter until next meeting, 6-9-21.

❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer **VOTE**: Unanimous

3. Ronald Pendleton, Inc - (Shawn Boulet – SWA)
 - a. Wants Commission review of matter, possible complaint
 - b. 4-14-21 – Bill Dawson, after the fact well and septic system issue
 - i. well is 25' from septic system
 - ii. existing well was there prior to septic system
 - iii. 2015, waste water system was approved (Roger Crouse)
 - c. 4-14-21 - Tabled for more information, follow up with William Dawson, DWP and Amy Lachance

Recommendation of the Commission after review:

** No authority on a grandfathered well which has no casing, disposal field is within 20' of well. The Commission recommends that the homeowners continue sampling and testing, that casing be installed to fracture depth, and homeowners submit a SWA for documentation and record keeping purposes.

❖ **MOTION**: Mike Otley **2nd**: Glenn Dyer **VOTE**: Unanimous

COMPLAINTS:

HEGARTY-GAP MTN, Ryan Wragg – rcvd 5-12-21 – pending review

- 5-12-21, received complaint, (not on agenda)
- 5-12-21, complaint reviewed

Motion to table complaint, 6-9-21, and Ryan Wragg exam application for more research of issue and call to New Hampshire Board of Licensure.

❖ **MOTION**: Daniel Locke **2nd**: Mike Otley **VOTE**: Unanimous
 o Frank Hegarty recused.

****ADMINISTRATIVE CONSENT AGREEMENT – VOTE**

1. Review of Consent Agreement draft for Densmore Complaint.

Motion to make changes of fines of 2-yrs to 4-yrs, will accept everything as written with exception at end of paragraph 12, to have Mr. Libby notify clients he contracts with that he does not have a license to drill water wells.

❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer **VOTE**: Unanimous

2. Review of Consent Agreement draft for Commission Complaint.

Motion to make changes of fines of 2-yrs to 4-yrs, will accept everything as written with exception at end of paragraph 12, to have Mr. Libby notify clients he contracts with that he does not have a license to drill water wells.

❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer **VOTE**: Unanimous
 - Voted: Bill Dawson, Frank Hegarty, and Mike Otley
 - Recused: Daniel Locke, Glenn Dyer

ROCK LIBBY:

L&L Well Drilling – (654 South Rumford, Rumford, ME 04276)

DYER-L&L – (654 S), complaint, received 6-23-20 – open

- 6-25-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint.
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

DOUGHTY-L&L – (654 S), complaint, received 6-10-20 - open

- 6-10-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

LOCKE-L&L – (654 S), complaint, received 5-4-20 - open

- 5-7-20 – Notice of Complaint, sent to Rock Libby and Anthony O’Connor
- 6-10-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty sent, L&L Well Drilling/Rock Libby

ROCK LIBBY:

L&L Well Drilling – (RTE 108, Rumford, ME 04276)

LOCKE-L&L – (RTE 108), complaint, rcvd 12-9-20 - open

- 12-17-20 – Notice of complaint sent
 - Send 3rd Notice of Complaint before next meeting, 2-10-21
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ANTHONY O’CONNOR:

LOCKE-OCONNOR (APPRENTICE) – (RTE 108), complaint, rcvd 12-9-20 - open

- a. 12-17-20 – Notice of complaint sent
- b. 1-27-21 – 3rd Notice of Complaint sent

LOCKE-OCONNOR (APPRENTICE) – (654 S), complaint, received 5-4-20 - open

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
- b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
- c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
- d. 1-27-21 – 3rd Notice of Complaint sent

DYER-OCONNOR (APPRENTICE) – (654 S), complaint, received 6-23-20 - open

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
 - b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
 - c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
 - d. 1-27-21 – 3rd Notice of Complaint sent
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DENSMORE – L&L WELL DRILLING:

DENSMORE-L&L – complaint, received 6-3-20 - open

- a. 6-4-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
 - b. 6-10-20 – Reviewed and discussed complaint.
 - c. 10-14-20 – Discussed and assigned violations and penalties
 - d. 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby
 - e. 1-13-21 - Moving forward for small claims court
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Motion to Adjourn.

❖ **MOTION**: Mike Otley **2nd**: Glenn Dyer **VOTE**: Unanimous

ADJOURNMENT:

TIME: **10:31 AM**